

REMARKS

The Office Action of September 3, 2008, has been carefully studied. The Examiners thorough review of the disclosure and the prior art cited is acknowledged. The specification correction suggested by the Examiner has been effected.

Regarding the priority date, applicant respectfully submits that independent Claim 7 (at least) is supported by the disclosure of provisional application No. 60/351,698. Accordingly, a priority date of January 24, 2002, should be accorded that claim.

Claims 7, 12 and 30 are the only independent claims presently under consideration. Claims 7 and 30 were rejected under 35 U.S.C. §102(b) over the Burney et al. reference. Claim 12 was rejected under 35 U.S.C. §103(a) over Quinn ('576) in view of Burney et al. Claims 12 (and 13) was rejected under 35 U.S.C. §112, second paragraph.

Claims 7, 8, 10-14 and 30 have been amended to correct 35 U.S.C. §112 deficiencies and to overcome cited prior art rejections. Applicant respectfully requests that those rejections should be withdrawn.

The Burney et al. reference discloses a catheter assembly 20 comprising a catheter tube 22, a cannula 24 and a solid needle stylus 26. It does not disclose a flexible wire stylet in a catheter tube, much less "primary" and "secondary" flexible wire stylets in a catheter tube. On that basis alone, Claims 7 and 30 cannot be anticipated.

The Quinn ('576) published application was combined with Burney et al. to reject Claim 12 under 35 U.S.C. §103(a). Burney et al., of course, has the shortcomings recited above. In addition, referring to Claim 12, Quinn '576 does not disclose a unitary dual lumen tube separate from a unitary single lumen tube and connected by a unitary bolus separated from each of those unitary tubes. As such Claim 12 plainly neither teaches nor suggests Quinn '576 or Burney et al in any combination.

Claims 8-11 each depend directly from Claim 7. Since independent Claim 7 should be in allowable form, the reasons discussed above, dependent Claims 8-11 should also be allowed.

Claims 13 and 14 depend directly from Claim 12. Since independent Claim 12 should be allowable, as also discussed, dependent Claims 13 and 14 should also be allowed.

Finally, Claims 31-34 depend directly, or indirectly, from Claim 30. Accordingly, by the same logic, each of Claims 30-34 should be in allowable form.

Passage of the application to allowance is respectfully requested.

Respectfully submitted,

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